



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MORGAN ART FOUNDATION LIMITED,

Plaintiff,

-against-

MICHAEL MCKENZIE, et al.,

Defendants.

18-CV-4438 (AT) (BCM)

MORGAN ART FOUNDATION LIMITED, et al.,

Plaintiffs,

-against-

JAMES W. BRANNAN, *as personal
representative of the Estate of Robert Indiana,*

Defendant.

18-CV-8231 (AT) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed five letter-motions, all filed on May 26, 2020, seeking to compel further responses to various written discovery requests,¹ and one additional letter-motion, filed on June 5, 2020, seeking a preclusion order as to witnesses whose names were recently disclosed pursuant to Rule 26(e).² The Court will conduct a telephonic discovery conference as to all six motions on **Friday, June 12, 2020, at 2:00 p.m.** At that time, the parties shall call 888-557-8511 and enter the access code 7746387. It is the Court's intention to resolve these discovery disputes at the June 12 conference, based on the letters submitted, together with any argument presented at the conference, unless a party shows good cause why more formal briefing is required.

¹ Four of these letter-motions were filed by defendants Michael McKenzie and American Image Art: (1) Dkt. No. 270 in 18-CV-4438; (2) Dkt. No. 271 in 18-CV-4438; (3) Dkt. No. 272 in 18-CV-4438; and (4) Dkt. No. 274 in 18-CV-4438. One was filed by James Brannan, as personal representative of the Estate: Dkt. No. 273 in 18-CV-4438, Dkt. No. 108 in 18-CV-8231.

² The sixth letter-motion was filed by plaintiff Morgan Art Foundation as Dkt. No. 291 in 18-CV-4438.

If and to the extent the parties require judicial assistance to resolve any additional discovery disputes, they are not to file any further letter-motions between now and June 12. Rather, the parties should be prepared to describe the new disputes – briefly – at the conference on June 12, at which point the Court will determine whether, and on what schedule, written submissions are required.

Dated: New York, New York
June 8, 2020

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge